

OPINION 933

LIPHISTIUS SCHIÖDTE, 1849 (ARANEAE): EMENDATION FROM
LIPISTIUS VALIDATED UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the emendation to *Liphistius* of the generic name *Lipistius* Schiødte, 1849, is hereby validated.

(2) The generic name *Liphistius* Schiødte, 1849 (gender: masculine), type-species, by monotypy, *Lipistius* [sic] *desultor* Schiødte, 1849, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1928.

(3) The specific name *desultor* Schiødte, 1849, as published in the binomen *Lipistius* [sic] *desultor* (type-species of *Liphistius* Schiødte, 1849) is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2418.

(4) The family name LIPHISTIIDAE Thorell, 1869 (type-genus *Liphistius* Schiødte, 1849) is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 455.

(5) The generic name *Lipistius* Schiødte, 1849 (Ruled under the plenary powers in (1) above to be an incorrect original spelling for *Liphistius*) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Number 1985.

HISTORY OF THE CASE (Z.N.(S.) 1828)

The present application was submitted by Dr. Herbert W. Levi in September 1967. Dr. Levi's application was sent to the printer on 4 October 1967 and was published on 18 January 1968 in *Bull. zool. Nomencl.* **24** : 359. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184).

Dr. Levi's proposals were supported by Prof. P. Bonnet (*Bull. zool. Nomencl.* **26** : 6-7), Dr. V. D. Roth, Prof. B. J. Kaston, Dr. M. H. Muma, Dr. J. Brandegård, Dr. O. Kraus, Dr. J. Denis, Dr. J. A. L. Cooke, and Dr. B. Y. Main. An objection by Dr. B. R. Vogel was published in *Bull. zool. Nomencl.* **25** : 127.

DECISION OF THE COMMISSION

On 13 November 1969 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (69)52 either for or against the proposals set out in *Bull. zool. Nomencl.* **24** : 359. At the close of the prescribed voting period on 13 February 1970 the state of the voting was as follows:

Affirmative votes—nineteen (19), received in the following order: China, Vokes, Obruchev, Mayr, Alvarado, Holthuis, Jaczewski, do Amaral, Lemche, Tortonese, Melville, Binder, Evans, Bonnet, Ride, Kraus, Forest, Mertens, Brinck.

Negative votes—three (3): Simpson, Sabrosky, Starobogatov.

Voting Papers not returned—one (1): Munroe.

Commissioner Eisenmann did not vote, giving the following explanation: "Where current usage is overwhelmingly in support of an ancient (but under the Code unwarranted) emendation for puristic reasons, I would support its maintenance; likewise if the Statute of Limitations could be said to bar the original spelling. But this is not the case here. Roewer (1942) in his 'Katalog der Araneae' reverted to the original spelling. In this he was adopting a reasonable interpretation of the Règles, which became explicit under the Copenhagen Decisions as well as the Code and which had long been adopted in many fields of zoology. I do not vote because current usage is not fully stated."

The following comments were made by other Commissioners in returning their votes:

Prof. G. G. Simpson (21.xii.69): "Schiodte evidently wrote *Lipistius* intentionally. To change it because his transliteration was not 'correct' would open a Pandora's box. There are surely hundreds, perhaps thousands, of names that could give rise to etymological quibbling. Further: 'De minimis non curat lex!'"

Dr. C. W. Sabrosky (7.i.70): "I sympathize with the long-standing usage based on an emendation by a classical scholar long ago. But, as Bonnet pointed out, there are thousands of such names. Rather than piecemeal action, name by name, should we reconsider the effect of the London Congress action of making Article 32 retroactive to 1758?"

ORIGINAL REFERENCES

The following are the original references for names placed on the Official Lists and Index by the Ruling given in the present Opinion:

desultor, *Lipistius*, Schiodte, 1849, *Nat. Tidskr.* (2)2 : 621

LIPHISTIIDAE Thorell, 1869, *On European Spiders* : 43

Liphistius Schiodte, 1849, *Nat. Tidskr.* (2)2 : 621

Lipistius Schiodte, 1849, an incorrect original spelling for *Liphistius*, q.v.

CERTIFICATE

I certify that the votes cast on Voting Paper (69)52 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 933.

R. V. MELVILLE
Secretary

International Commission on Zoological Nomenclature

London

4 May 1970